

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Takeshi NISHIUCHI et al.

Application No.: 10/642,324

For: COMPOUND FOR RARE-EARTH BONDED MAGNET AND BONDED MAGNET USING
THE COMPOUND

TERMINAL DISCLAIMER

Mail Stop Amendment
Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Sir:

The owner, **NEOMAX CO., LTD.**, of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent** Numbers **6,706,124; 6,790,296; and 6,814,776**, and any patent granted on pending **reference** Application Numbers **10/381,005; 10/432,862; 10/484,072; and 10/745,834**, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any of said **prior patents** are presently shortened by any terminal disclaimer and as the term of any patent granted on any said **reference** applications which may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** applications. The owner thereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and said **prior patents** and any patent granted on the **reference** applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patents**, "as the term of any of said **prior patents** is presently shortened by any terminal disclaimer," or any patent granted on said **reference** applications, "as the term of any patent granted on any of said **reference** applications may be shortened by any

terminal disclaimer filed prior to the grant of any patent on the pending **reference** application," in the event that said **prior patents** or any patent granted on said **reference** applications later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record. Reg. No. 37,368

/Joseph R. Keating #37,368/
Joseph R. Keating

04/18/2006
Date

- Terminal disclaimer fee under 37 CFR 1.20(d) included.

KEATING & BENNETT, LLP
8180 Greensboro Drive, Suite 850
Tyson's Corner, VA 22102
Telephone: (703) 637-1480
Facsimile: (703) 637-1499